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6 Attorneys for Defendants
CITY OF SUNNYVALE,
7 CHRIS SEARLE and DARREN PANG

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

10
11 ERIKA CANAS, JOSE CANAS, a minor, by
12 and through his guardian ad litem, and JESUS
13 CANAS, by and through his guardian ad litem,

14 Plaintiffs,
vs.

15 CITY OF SUNNYVALE, CHRIS SEARLE,
16 DARREN PANG and DOES ONE through
TWENTY-FIVE,

17 Defendants.

Case No.: C08-05771 JF

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE TIME FOR EARLY
NEUTRAL EVALUATION**

18 IT IS HEREBY STIPULATED by the parties hereto, through their respective undersigned
19 attorneys of record, that the date and time for completion of the Early Neutral Evaluation be
20 continued to November 27. An initial ENE session was held on October 6. The parties and evaluator
21 agreed the parties should exchange discovery and hold a second session on November 20. Good
22 cause is shown as the parties are in the process of agreeing upon a protective order to be submitted to
23 the court. Once said protective order is entered by the court, discovery will proceed. In order to
24 allow for a meaningful analysis of the case, it is preferable that the parties have an opportunity to
25 review the documents before the continued ENE. Thus, a continuance until November 27 for the
26 date and time to conduct ENE will allow such review to take place.

1 Dated: October 9, 2009

BERTRAND, FOX & ELLIOT

3 By: _____/s/

4 Gregory M. Fox
5 Attorneys for Defendants
6 CITY OF SUNNYVALE, CHRIS SEARLE and
7 DARREN PANG

8 Dated: October 9, 2009

9 ROBERTS & ELLIOT LLP

10 James Roberts, Esq.

11 By: _____/s/

12 Sharmi Shah, Esq.
13 Attorneys for Plaintiffs
14 ERIKA CANAS, JOSE CANAS, and JESUS CANAS

15 **ORDER**

16 Good cause appearing,

17 THE STIPULATION IS SO ORDERED.

18 Dated: 10/22, 2009



19 Hon. Jeremy Fogel
20 UNITED STATES DISTRICT COURT JUDGE

21 **ATTORNEY ATTESTATION**

22 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
23 conformed signature ("s/") within this E-filed document.

24 Dated: October 13, 2009

25 _____/s/
26 Gregory M. Fox